

Message Text

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ACTION EUR-25

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FM AMEMBASSY SOFIA

TO AMCONSUL MUNICH

INFO SECSTATE WASHDC 8512

AMEMBASSY TEL AVIV

C O N F I D E N T I A L SOFIA 1484

E.O. 11652: GDS

TAGS: PINS, BU (SHPETER, HENRICH NATAN) (YOSEF, SALOMON BEN)

SUBJECT: SHPETER CASE

REF: A) MUNICH 1290; B) SOFIA 1325; C) SOFIA 1431; D) SOFIA 1241;
E) SOFIA A-78

1. MIN JUSTICE HAS CONFIRMED TO AUSTRIAN AMBASSADOR THAT SHPETER HAS BEEN RELEASED FROM CUSTODY AND HAS LEFT THE COUNTRY. BBC HAD EARLIER REPORTED SHPETER'S ARRIVAL IN ISRAEL. AT ROMANIAN NATIONAL DAY RECEPTION AUG 24 I ENCOUNTERED DEPUTY MIN JUSTICE NENOV AND ASKED HIM IF SHPETER HAD BEEN AMNESTIED. NO, SAID NENOV, HE WAS RELEASED BY ORDER OF COUNCIL OF STATE "FOR REASONS OF OUR RELATIONS".

2. THIS CRYPTIC STATEMENT ACQUIRES SOME SIGNIFICANCE FROM INFORMATION PROVIDED BY AUSTRIAN AMB THAT WHEN REPRESENTATIVE OF AMNESTY INTERNATIONAL FINALLY SAW THE PUBLIC PROSECUTOR (AFTER THE CASE HAD BEEN APPEALED TO THE SUPREME COURT) HE WAS TOLD THAT SHPETER HAD BEEN CONVICTED FOR ESPIONAGE IN FAVOR OF ISRAEL "AND THE UNITED STATES OF AMERICA". IN REF B WE REPORTED THAT SHPETER HAD BEEN CHARGED NOT ONLY UNDER ARTICLE 104 BUT ALSO WITH ESPIONAGE IN FAVOR OF USSR UNDER ARTICLE 113.

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3. WE CONCLUDE THAT PRESSURE OF WORLD PUBLIC OPINION, NOTABLY FROM WITHIN UN PERSONNEL ESTABLISHMENT, FROM KREISKY AND PALME, AMNESTY INTERNATIONAL AND WORLD INTELLECTUALS (SAKHAROV IS ALSO SUPPOSED TO HAVE SENT PERSONAL MESSAGE ON CASE TO ZHIVKOV) COMBINED TO PRODUCE THIS OUTCOME. ANOTHER FACTOR MAY HAVE BEEN FORTHCOMING POPOV VISIT TO THE US. POPOV IS KNOWN (REF C) TO BE CONCERNED ABOUT PRESS RELATIONS DURING HIS TRIP.

4. REJOICING OVER THIS OUTCOME MUST BE SOMEWHAT LIMITED BY OUR CONTINUING COMPLETE IGNORANCE WHETHER SHPETER WAS INNOCENT OR GUILTY. THERE IS A STRONG PRESUMPTION THAT THE SENTENCE METED OUT TO HIM WAS WILDLY EXCESSIVE; BUT WHETHER HE REALLY ENGAGED IN ACTIVITIES HARMFUL TO BULGARIA AND USSR WE DO NOT KNOW. THAT HE WAS GUILTY UNDER BULGARIAN LAW OF CURRENCY VIOLATIONS SEEMS TO HAVE BEEN PROVEN. IT DOES NOT APPEAR THAT HE WAS PERSECUTED BECAUSE OF HIS OPINIONS, BUT TEL AVIV MAY BE ABLE TO ACQUIRE INFORMATION PRIVATELY FROM SHPETER SHEDDING LIGHT ON THESE QUESTIONS.

5. MEANWHILE CASES INVOLVING "ECONOMIC ESPIONAGE" CONTINUE. CASE REFERRED TO BY MUNICH (REF A) SEEMS TO BE ONE OF BOTH CORRUPTION AND ESPIONAGE AS VERY LOOSELY DEFINED BY BULGARIAN LEGAL CODE (REF E). IT INVOLVES A BULGARIAN NATIONAL, SALOMON BEN YOSEF, OBVIOUSLY OF JEWISH ORIGIN; AND A GERMAN NATIONAL, JACOBY (PROBABLY ALSO JEWISH) WHO REPRESENTED THE CHEMICAL FIRM LINDE. US CONNECTIONS ARE MENTIONED ALSO IN THIS CASE. DUE TO BULGARIAN INEFFICIENCY, A STAFF MEMBER OF GERMAN EMBASSY HEARD THE READING OF INDICTMENT IN SOFIA DISTRICT COURT AUG 20 BEFORE THE AUTHORITIES BECAME AWARE THAT OUTSIDERS WERE PRESENT AND HASTILY DECLARED TRIAL CLOSED TO THE PUBLIC.

6. THE ACCUSATIONS AGAINST BEN YOSEF ARE IN TWO PARTS: HDJIS SUPPOSED TO HAVE, AS MEMBER OF MINISTRY OF CHEMICAL INDUSTRY, DISCRIMINATED AGAINST FRENCH AND BRITISH CHEMICAL FIRMS AND THROWN CONTRACT TO AN AMERICAN FIRM (LITWIN) REPRESENTED BY A MR. KATZ. AS A RESULT, INCONFIDENTIAL

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FERIOR EQUIPMENT WAS SUPPOSEDLY IMPORTED INTO BULGARIA. IN ADDITION HE IS SUPPOSED TO HAVE OBTAINED FOR LINDE INFORMATION ON NEW CHEMICAL PROJECTS ENVISAGED IN THE NEXT FIVE-YEAR PLAN; MORE SPECIFICALLY, PLANS FOR EXPANSION OF BURGAS PETROCHEMICAL COMPLEX; AND "DETAILS ABOUT LICENSES AND PRICES IN THE CHEMICAL INDUSTRY" -- ALL THIS FOR BRIBES THAT WERE EITHER PROMISED (18,000 DM) OR ACTUALLY PAID (5,000 AUSTRIAN SCHILLINGS). IN THIS CON-

NECTION HE IS ALSO ACCUSED OF CURRENCY VIOLATIONS. THE GERMAN NATIONAL INVOLVED IN THIS CASE IS ALSO BEING TRIED.

7. IT MAY OF COURSE BE THAT BEN YOSEF IS BEING PERSECUTED FOR HIS OPINIONS OR SINGLED OUT BECAUSE OF HIS RACE, AND PERHAPS EMIGRE CIRCLES AND LIBERALS AND JEWISH ORGANIZATIONS WILL RUSH TO HIS DEFENSE AS THEY DID WITH SHPETER, BUT WE HAVE NO INFORMATION SO FAR ON WHICH TO BASE JUDGMENT THAT BEN YOSEF CASE IF ONE INVOLVING HUMAN RIGHTS, EXCEPT THAT "ECONOMIC ESPIONAGE" COVERS ACTIVITIES WHICH ELSEWHERE ARE EITHER NOT PUNISHABLE AT ALL OR TREATED AS MINOR CRIMES OR ARE SUBJECT ONLY TO CIVIL SUIT. IN THE CASE OF SHPETER IT WAS KNOWN THAT HE HAD VOICED DOUBTS ABOUT THE BULGARIAN REGIME WHILE HE WAS WITH UNIDO IN VIENNA. IN THE CASE OF BEN YOSEF WE DO NOT EVEN HAVE SUCH CIRCUMSTANTIAL INFORMATION.

8. FOR MUNICH AND TEL AVIV: WE ARE REPEATING REFTELS B AND C TO YOU FOR INFO.
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